



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

February 23, 2010

Keith J. Forsyth
CMR 490 Box 2306
APO AE 09708

Re: Water Right Permit No. S2-29465

Dear Mr. Forsyth:

In response to your request, you are hereby granted an extension to begin construction for the reason below:

- You were unable to begin construction because you were required to remain overseas on military duty.

Your new deadline to begin construction and submit your *Construction Notice* is **June 1, 2012.**

Your letter indicates that you expect to return to the United States in 2011. Because this permit is still in the *Beginning of Construction* phase and has already been extended several times since 1998, we are unable to approve an extension beyond 2012.

The enclosed *Construction Notice* should be filed when you begin developing the property. According to your new schedule, construction must be completed by June 1, 2013 and water must be beneficially used by June 1, 2014. Extensions of those dates may be granted for good cause.

Enclosed is an Amended Permit. It has been updated with the following provisions to reflect current requirements:

Use of water under this water right shall be limited to in-house purposes only.

At such time as public water becomes available to this site, this water right shall be relinquished.

An approved measuring device shall be installed and maintained for the source identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC.

Water use data shall be recorded annually and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document titled "Water Measurement Device Installation and Operation Requirements".
<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

The intake shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria.
<http://www.wdfw.wa.gov/reg/regions.htm>

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the water right. Elements of a proof inspection may include, as appropriate, the sources, system instantaneous capacity, beneficial use, annual quantity, place of use, and satisfaction of provisions.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your *Notice of Appeal*.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

OR Deliver your appeal in person to:

The Pollution Control Hearings Board
PO Box 40903
Olympia WA 98504-0903

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

OR Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia WA 98504-7608

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey WA 98503

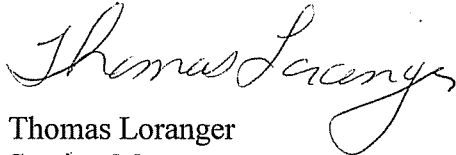
3. And send a copy of your appeal to:

Thomas Loranger
Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia WA 98504-7775

*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser> .*

If you have any questions, please contact Marie Peter at (360) 407-0279 or at
mpet461@ecy.wa.gov.

Sincerely,



Thomas Loranger
Section Manager
Water Resources Program

Enclosures: *Construction Notice*
FAQ Extensions for Water Right Permits
Your Right to Be Heard

